IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4273 OF 2004

Smt.Rashida Saifuddin Chougale : Petitioner

(Orig. Opponent no.1)

V/s.

Shri Mehmood Ismail Chougale & Ors. : Respondents

(Orig.Opp.2 to 19)

...

Mr.H.A. Solkar for the petitioner.

None present for the respondents.

...

CORAM : S.A. BOBDE, J.

October 3, 2005.

P.C.:

1. The petitioner has challenged the deletion of mutation entry no.6754 in her favour after having purchased the property in question. The petitioner is mainly aggrieved by the fact that the respondent nos.12 to 19, who are said to be encroachers, have been entered in the other rights column.

2. Mr.Solkar, the leaned counsel for the petitioner, fairly stated that the petitioner has already filed a

civil suit which is pending in the Court at Shrivardhan. In this view of the matter, the learned counsel for the petitioner seeks leave to withdraw this petition with liberty to pursue the civil suit in respect of possession as well as title, if necessary. Permission granted. The petitioner shall be at liberty to apply for mutation in accordance with the decision of the civil Court.

S.A. BOBDE, J.